

**THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION  
Civil Action No. 5:24-cv-000379-BO-RJ**

**CLEVELAND CORNELL WILSON, *et al.***

Plaintiff,

v.

**MARINER FINANCE NORTH  
CAROLINA, INC.**

Defendant

/

**PLAINTIFFS' UNOPPOSED MOTION TO EXTEND TIME TO RESPOND TO  
DEFENDANT'S MOTION TO DISMISS [Doc. 12]**

Plaintiffs Cleveland Cornell Wilson, Bernadette Brown, and Jaqueline Green, individually and on behalf of all others similarly situated, (“Plaintiffs”) respectfully request that this Court grant an extension of time for it to respond to Defendant Mariner Finance North Carolina, Inc.’s (“Defendant”) Motion to Dismiss filed on October 4, 2024. [Doc. 12]. In support of this Motion, Plaintiffs state as follows:

1. On June 17, 2024, Plaintiffs’ Complaint was filed. [Doc. 1]
2. On August 7, 2024 Defendant sent Plaintiffs a waiver of service and filed an executed return on August 9, 2024. [Doc. 10]
3. On October 4, 2024, Defendant filed its Motion to Dismiss and supporting memorandum. [Docs. 12-13]
4. On October 15, 2024, Plaintiffs’ counsel conferred with Defendant’s counsel who consented to extending Plaintiffs’ time to respond to the Motion until to November 5, 2024.

Plaintiffs and Defendant further agreed that Defendant would be entitled to a reciprocal extension to file a reply brief, up to and including November 26, 2024.

5. There is good cause to grant this Motion because the additional time will allow the parties to continue settlement negotiations in hopes of case resolution, and if not resolved, will allow for undersigned counsel to file a response or other pleadings.

6. This Motion is not being made for the purpose of vexation or delay, and Defendant will not be prejudiced by the Court granting the relief sought herein.

WHEREFORE, Plaintiffs respectfully requests that the Court grant this Motion, allow them up to and including November 5, 2024 to respond to Defendant's Motion and up to and including November 26, 2024 for Defendant to file a reply brief and for such other and further relief as the Court deems just and proper. A proposed Entry is being submitted with this Motion.

Filed:

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Green and the putative class*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 17, 2024, a copy of the foregoing pleading was filed electronically with the clerk of court via ECF which will send a copy to all registered users, including the following:

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**ORDER GRANTING PLAINTIFFS' MOTION TO  
EXTEND TIME TO RESPOND TO  
DEFENDANT'S MOTION TO DISMISS**

This matter is before the Court on Plaintiffs' Motion for Extension of Time to Respond to Defendant's Motion to Dismiss. Defendant's counsel agrees to the request, and the Court finds good cause to allow the requested extensions by consent.

**IT IS HEREBY ORDERED** that Plaintiffs' Motion for Extension of Time to Respond to Defendant's Motion to Dismiss is **GRANTED**, Plaintiffs shall have up to and including November 5, 2024 to respond to Defendant's Motion and Defendant shall have up to and including November 26, 2024 to file a reply.

**AND IT IS SO ORDERED.**

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Terrence W. Boyle  
United States District Judge

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